

ASSEMBLY BILL

No. 2695

Introduced by Assembly Member Niello

February 22, 2008

An act to amend Section 45005 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 2695, as introduced, Niello. Solid waste: facility: violation.

Existing law requires a person who is, among things, operating, or proposing to operate, a solid waste facility in violation of the California Waste Management Act of 1989 or permit requirements, or in a specified manner, to, upon order of the enforcement agency, cease and desist the prohibited activities.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 45005 of the Public Resources Code is
- 2 amended to read:
- 3 45005. A person who is operating, or proposes to operate, a
- 4 solid waste facility, or who is disposing of solid waste in an
- 5 unauthorized manner, or who owns a solid waste facility and causes
- 6 or permits the operator to operate the facility ~~(1) in~~ *as follows,*
- 7 *shall, upon order of the enforcement agency, cease and desist the*
- 8 *prohibited activities:*

- 1 (a) *In* violation of a solid waste facilities permit or in violation
2 of this division, or any regulation adopted pursuant to this division;
3 ~~or (2) without a.~~
4 (b) *Without* a solid waste facilities permit, ~~or (3) in.~~
5 (c) *In* a manner that causes or threatens to cause a condition of
6 hazard, pollution, or nuisance ~~shall, upon order of the enforcement~~
7 ~~agency, cease and desist any prohibited activities.~~